IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.34/1999.

1) Shri Neelkanta Reddy,
Junior Engineer (BE),
Electricity Department, Division IV,
Margao, Goa.

2) Smt. Reshma Mathew, Junior
Engineer (BE), Electricity
Department, Division VIII,
Margao, Goa.

3) Shri Radhakrishna Keni,
Junior Engineer (BE),
Electricity Department,
Works Division VIII,
Margao, Goa.

4) Shri Jose Elizeu D'Mello,
Junior Engineer (BE),
Electricity Department,
Division IV, Margao, Goa.

5) Graduate Engineers Association,
a Society, registered under the
Societies Registration Act, 1860,
represented herein by its President,
Shri Henry Campan, resident of
Porvorim, Bardez, Goa. .... Petitioners.

V/s.

1) State of Goa, through its
Chief Secretary, having
Office at Secretariat,
Panaji, Goa.

2) The Chief Electrical Engineer,
Electricity Department,
Government of Goa, Vidyut
Bhavan, Panaji, Goa.

3) The Goa Public Service
Commission, through its
Secretary, having office at
EDC House, Panaji, Goa.

4) Shri C.A. Balathilakan,
Assistant Engineer,
Electrical Sub-Division IV,
Division VII,

Curchorem, Goa.

5) Shri Gopinathan Pillai K.,
Assistant Engineer,
Division XIII, Corlim, Goa.

6) Shri Ramdas Bhat,
Assistant Engineer, Electrical
Sub-Stores (Tivim), Division II,
Margao-Goa.

7) Shri P.K. Madhavan,
Assistant Engineer, Office
of the Chief Electrical Engineer,
Vidyut Bhavan, Panaji, Goa. ..... Respondents.

Mr. M.S. Sonak, Advocate for the petitioners.

Mr. A.N.S. Nadkarni, Advocate General with Mr. H.R. Bharne, Government Advocate for respondents No.1 & 2.

Mr. A.N.S. Nadkarni, Advocate General with Mr. H.D. Naik, Advocate for respondent No.3.

Mrs. A.A. Agni, Advocate for respondents No.4 & 5.

CORAM : V.G. PALSHIKAR &
P.V. HARDAS, JJ.

DATE : OCTOBER 6, 2003.

ORAL JUDGMENT: (Per PALSHIKAR, J.)

The issue involved in this petition is squarely covered by the Judgement of the Supreme Court in the case of **R.B. Desai and another vs. S.K. Khanolker and others,** reported in AIR Supreme Court (Weekly) 1999, Volume 5, page 3296. Though the Department therein was different, the Rule was identical and, therefore, the Judgment would be binding on interpretation of this

Rule. In these circumstances, the petition is disposed of as covered by the aforesaid decision.

V.G. PALSHIKAR, J.

P.V. HARDAS, J.

ssm.